

February 28, 2003

Exemption No. 7990
Regulatory Docket No. FAA-2003-14249

Mr. Dan E. Chauvet
407 Spruce Circle
Watsonville, CA 95076-3635

Dear Mr. Chauvet:

By letter dated December 3, 2002, you petitioned the Federal Aviation Administration (FAA) for an extension of Exemption No. 6896 from § 91.109(a) and (b)(3) of Title 14, Code of Federal Regulations (14 CFR). That exemption expired May 21, 2001; therefore, your request is being processed as a new petition for exemption. The proposed exemption, if granted, would permit you to conduct certain flight instruction and simulated instrument flights to meet recent experience requirements in Beechcraft Baron, Bonanza, Debonair, and Travel Air aircraft equipped with a functioning throwover control wheel instead of functioning dual controls.

The FAA issued a grant of exemption in circumstances similar in all material respects to those presented in your petition. In Exemption No. 6544, as amended (copy enclosed), the FAA determined that with conditions and limitations, certain flight instruction can be conducted in an aircraft with a functioning throwover control wheel with a level of safety equivalent to that provided by 14 CFR. The FAA noted that 14 CFR § 61.45(c) permits FAA personnel and designated pilot examiners to conduct pilot certification flight tests in aircraft not equipped with dual controls. The FAA stated that in the past 20 years, those operations have been conducted without an adverse impact on safety. In granting the exemption, the FAA noted that the petitioner sought to provide flight instruction only for pilots who are qualified to act as pilot in command (PIC).

In Exemption No. 6544, as amended, the FAA also noted that § 91.109(b)(3) permits the petitioner to conduct simulated instrument flights in aircraft equipped with a functioning throwover control wheel. Therefore, the FAA finds that you do not require an exemption from § 91.109(b)(3) to conduct simulated instrument flights to meet recent experience requirements.

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Having reviewed your reasons for requesting an exemption, I find that they do not differ materially from those presented by the petitioner in the enclosed grant of exemption.

In addition, I have determined that the reasons stated by the FAA for granting the enclosed exemption also apply to the situation you present.

In consideration of the foregoing, I find that a grant of exemption is in the public interest. Therefore, pursuant to the authority contained in 49 U.S.C. §§ 40113 and 44701 delegated to me by the Administrator, Mr. Dan E. Chauvet is granted an exemption from 14 CFR § 91.109(a) to conduct certain flight instruction in Beechcraft Baron, Bonanza, Debonair, and Travel Air aircraft equipped with a functioning throwover control wheel instead of functioning dual controls. This exemption is subject to the following conditions and limitations:

1. Operations conducted under this exemption are limited to flights for the following purposes:
 - a. To complete the flight review required by § 61.56(a), and
 - b. To conduct the training necessary to accomplish one or more phases of an FAA-approved pilot proficiency award program provided for in § 61.56(e).
2. Operations conducted under this exemption are limited to Beechcraft Baron, Bonanza, Debonair, and Travel Air aircraft equipped with a functioning throwover control wheel and operable rudder pedals in place of functioning dual controls.
3. A pilot receiving instruction under this exemption must be qualified in every respect to serve as PIC of the aircraft during the entire training period. During instruction, the pilot receiving the training must, at all times, serve as and remain PIC as defined in 14 CFR § 1.1. The PIC must agree to the provisions of this exemption.
4. While serving as a flight instructor under this exemption, Mr. Chauvet must—
 - a. Be fully qualified to serve as PIC and flight instructor in the aircraft involved, as required by § 61.195(b) and (f); and
 - b. Have given at least 25 hours of dual instruction in the aircraft involved.
5. Mr. Chauvet, when serving as the flight instructor under this exemption, and the PIC (the pilot receiving training) must agree that the proposed flight, given the conditions in evidence at the time, can be conducted safely.

Please note that in an effort to allow the public to participate in tracking the FAA's rulemaking activities, we have transitioned to the Department of Transportation's online Docket Management System (DMS) at <http://dms.dot.gov>. This new docket system enables

interested persons to submit requests to, view requests on, and download requests from the DMS to comply with 14 CFR § 11.63. Please submit future requests through the DMS.

This exemption terminates on February 28, 2005, unless sooner superseded or rescinded.

Sincerely,

/s/

Louis C. Cusimano

Acting Director, Flight Standards Service

Enclosure